

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

In re: Bair Hugger Forced Air Warming  
Devices Products Liability Litigation

MDL No. 15-2666 (JNE/DTS)

This Document Relates To:  
ALL ACTIONS

---

**DEFENDANTS' MOTION FOR LEAVE TO FILE REPLY IN SUPPORT OF  
MOTION FOR CONTEMPT ORDER AND SANCTIONS FOR VIOLATIONS OF  
COURT ORDERS REGARDING SEALING AND CONFIDENTIALITY**

Pursuant to Local Rule 7.1(b)(3), Defendants respectfully request permission to file a reply brief (submitted herewith) in support of their pending Motion for Contempt Order and Sanctions for Violations of Court Orders Regarding Sealing and Confidentiality.

In response to Defendants' Motion, MDL Counsel has accused Defendants and their counsel of making misrepresentations to the Court. Defendants do not take such accusations lightly and should be afforded an opportunity to respond. Moreover, since the filing of Defendants' motion, MDL Counsel has yet again violated this Court's sealing orders by filing a PowerPoint presentation they relied on at the hearing on Defendants' motion for reconsideration. The presentation included portions of documents that have been permanently sealed by this Court, but MDL Counsel nevertheless filed the PowerPoint presentation publicly without first seeking leave from the Court. This latest filing is part of the same pattern of misconduct by MDL Counsel at issue in Defendants' motion, and a reply brief will allow Defendants – and the Court – to address all of these issues at once.

Accordingly, Defendants respectfully request that their motion be granted and that they be permitted to file a reply.

Dated: July 1, 2019

Respectfully submitted,

s/Jerry W. Blackwell

---

Jerry W. Blackwell (MN #186867)  
Benjamin W. Hulse (MN #0390952)  
Mary S. Young (MN #0392781)  
Monica L. Davies (MN #0315023)  
BLACKWELL BURKE P.A.  
431 South Seventh Street, Suite 2500  
Minneapolis, MN 55415  
Phone: (612) 343-3200  
Fax: (612) 343-3205  
Email: blackwell@blackwellburke.com  
bhulse@blackwellburke.com  
myoung@blackwellburke.com  
mdavies@blackwellburke.com

Lyn Peeples Pruitt  
MITCHELL WILLIAMS SELIG  
GATES & WOODYARD  
425 West Capitol Avenue, Suite 1800  
Little Rock, AR 72201-3525  
Phone: (501) 688-8869  
Fax: (501) 688-8807  
Email: lpruitt@mwlaw.com

***Counsel for Defendants 3M Company  
and Arizant Healthcare Inc.***